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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,505	12/10/2003	Cheng Yu Huang	BHT-3123-111	4649
7590 04/22/2005 TROXELL LAW OFFICE PLLC SUITE 1404 5205 LEESBURG PIKE FALLS CHURCH, VA 22041			EXAMINER ORDERS, CHRISTOPHER H	
			ART UNIT 3746	PAPER NUMBER

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/731,505	<b>Applicant(s)</b> CHENG YU HUANG	
	<b>Examiner</b> Christopher H. Orders	<b>Art Unit</b> 3746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 October 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. The abstract of the disclosure is objected to because the recitation of "basis" (pg. 7, ln. 10) is presumed to be --base-- for proper clarity. Correction is required. See MPEP § 608.01(b).
2. The disclosure is objected to because of the following informalities:
  - The recitation of "LED light (137)" (pg. 4, ln. 22) is presumed to be --LED light (37)-- to properly reference the drawings.
  - The recitation of "cool fan (14)" (pg. 4, ln. 24) is presumed to be --cooling fan (1)-- to properly reference the drawings and for proper clarity.
  - The recitation of "AS Fig. 2 shown" (pg. 5, ln. 5) is presumed to be --As shown in Fig. 3-- to properly reference the drawings and for proper clarity.
  - The recitation of "basis" (throughout specification) is presumed to be --base-- for proper clarity.Appropriate correction is required.
3. The specification contains many other grammatical errors which take away from the clarity of the disclosure. Therefore, a substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the claims do not use proper antecedent basis terminology.

6. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Although rejected above under 35 U.S.C. 112 2<sup>nd</sup> paragraph, the claims are additionally rejected as best understood on the basis of prior art.

9. Claims 1-3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moreno et al. (US 2003/0059307) in view of Lee (US 2005/0009404).

Moreno et al. teach a cooling fan (10) having a fan (24) inside a cooling fan case (18) which has a connecting plug on a power line end to connect to arbitrary outlets (para. 0023, ln. 1-5) in order to draw electrical power to turn on the fan for cooling purposes; a speed tuner (inherently required to regulate speed as disclosed) inside the

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cooling fan (10) and an arc knob (26) for the user to turn the arc knob to control the rotating speed; and a positioning mechanism (50) inside a base (comprising 14,16,22) of the cooling fan (10) for adjusting the inclination angle of the fan (para. 0030, last 6 lines) and a pen stand (38, 39) placed on a side of the base (14,16, 22) for convenient pen placement (para. 0027, ln. 5-8). Moreno et al. do not expressly teach that the power line connects to a mobile computer, a computer host, or a USB, 1394 or PS2 hub, and that the arc knob is placed on top of the cooling fan case. However, Lee teaches powering a personal fan using a computer, mobile computer, or hub USB socket (para. 0006 ln. 4-11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the powering arrangement of Lee with the fan of Moreno et al. for the benefit of the single, standardized, easy-to-use way to connect the fan (Lee para. 0004, ln. 12-14). Further, it would have been obvious matter of design choice to modify the fan of Moreno et al. by having the arc knob placed on the top of the cooling fan case since applicant has not disclosed that this location for the knob solves any stated problem or is for any particular purpose, and it appears that the speed control knob would perform equally well at either location.

10. Claims 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moreno et al. (US 2003/0059307) in view of Lee (US 2005/0009404) as applied to claim 1 above, and further in view of Lin (5,193,984).

Moreno et al. in view of Lee teach many of the claim limitations including a light (Moreno et al. para. 0028, ln. 11-15), but they do not expressly teach that a front shell has a light or an LED light which is inside the front shell to light the front shell when the

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cooling fan is turned on. However, Lin teaches a light (62) which is inside the front shell (3) and can be turned on when the fan is on. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the light location of Lin with the fan of Moreno et al. for the benefit of protecting the lighting element from damage due to the protection offered by the casing.

11. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moreno et al. (US 2003/0059307) in view of Lee (US 2005/0009404) as applied to claim 3 above, and further in view of Lu (US 2003/0174467).

Moreno et al. in view of Lee teach many of the claim limitations including a recess (see Moreno et al. fig. 2) on a lower portion of the front side (Moreno et al. 46) of the base (Moreno et al. 14,16,22), and a signal line (with connector 30) for connecting to a computer (through adaptor 20). Moreno et al. in view of Lee do not expressly teach that the recess is used to support an individual card reader, hub, hard disk or radio device, and the base additionally has a signal line and a plug for connecting to the computer. However, Lu teaches a fan assembly (10) with a hub (ports 5) which connects to a computer using a signal line through a USB port (5) in the base (1). It would have been obvious to one of ordinary skill in the art to combine the hub of Lu with the USB powered fan of Moreno et al. in view of Lee for the benefit of leaving the computer with open ports for other uses (Lu para. 0006, ln. 13-19).

**Conclusion**

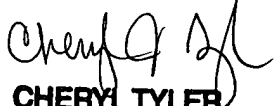
12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Huang (US 2002/0171999) teaches a combination USB hub and card reader. Krietzman et al. (US 2002/0186563) teach a USB or IEEE 1394 powered personal computer light. Chen (5,310,313) teaches a fan with a swivel mechanism (32). Becker et al. (US 2003/00568615) teach a USB powered cooling device. Murray Jr. et al. (US 2003/0231958) teach a USB or other port powered personal cooling fan.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher H. Orders whose telephone number is (571) 272-7163. The examiner can normally be reached on Monday-Friday, 7:30am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl J. Tyler can be reached on (571) 272-4834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CHO

  
**CHERYL TYLER**  
**SUPERVISORY PATENT EXAMINER**